

Preparing You for Your PCA Inspection and Operation

Provided by: Division of Public and Behavioral Health
Bureau of Health Care Quality &
Compliance (BHCQC)

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Overview and Application

Overview of HCQC

- HHS Director - Richard Whitley
- Division of Public and Behavioral Health –
Administrator Cody Phinney/ Chief
Medical Officer Dr John DiMuro
 - Bureau Chief – Paul Shubert
 - Staff of 72-84
 - Some of the Facility types:
HOSP, HHA, ASC, SNF, ESRD, HOSPICE, AGC, HIRC,
PCA, ADC, HWH, ADA, TLF, NTC, MDX, CTC

Overview of HCQC

- Mission & Purpose Breakdown:
 - State licensure of health & child care facilities/agencies; personnel for lab, music therapists and dietitians, and the radiological control program
 - Federal certification of medical facilities
 - Complaint investigations
 - Education and compliance assistance
- Northern office Carson City
- Southern office Las Vegas

Overview of HCQC

- Statistics:
 - License 37 different health facility types
 - 1379 licensed facilities statewide

PCAs = 212 active statewide

North ~ 31 (rest of State)

South ~ 181 (Clark & Nye Counties)

Closed 95 3 expired, 2 never issued

Pending 22

PCO (ISO) = 18 Active statewide

North = 7

South = 11

Closed 8 3 never issued 1 pending



Regulations

Laws: Big Picture

- NRS (Nevada Revised Statutes) = Laws
 - Created, amended and deleted by Legislature every two years
 - Legislature delegates who will enforce laws
- NRS Chapter 449 – Medical and Other Related Facilities
 - Laws governing facilities licensed by BHCQC including definitions of each facility type
 - ***Must have a copy at your agency***
 - <http://leg.state.nv/NRS>

Nevada Revised Statutes	▶
Administrative Code	▶
Nevada Register	▶
Statutes of Nevada	
Court Rules	
County Charters	
Selected Special and Local Acts	
Browse Other Documents	

Welcome to the Nevada Legislature

The 79th (2017) Session of the Nevada Legislature will begin on Monday, February 6, 2017.



The Legislative Building



NOW AVAILABLE – 2015 NEVADA REVISED STATUTES

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Nevada Revised Statutes (NRS) 2015 Search

Nevada Legislature Searches

If you know the NRS Chapter you want, click [here](#)

Enter your query below:

Search

Results per page:

10 ▼

Go to [Advanced Search](#)

Sort results by:

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With Disabilities
o Aging Persons and Persons With Disabilities
Persons
Resource Centers
Services for Children
and Facilities for Care of Children
of Children From Abuse and Neglect
HEALTH
Provisions
to Mental Health Facilities or Programs of Community-Based or Outpatient Services;
ization
al Provisions Relating to Children
ty Mental Health Programs
with Intellectual Disabilities and Related Conditions
HEALTH AND SAFETY
ation of Public Health
for the Provision of Health Care
g Costs of Health Care
stics
Diseases; Toxic Agents
and Child Health; Abortion
for Recycling
ontrols
ion
ental Requirements; Cleanup of Discharged Petroleum
ental Covenants (Uniform Act)
ablishments
ommodations
acilities and Other Related Entities
ospitals and Hospital Districts
y Medical Services
ies
s
d Substances
Use of Marijuana
ation Programs
uaritan Drug Overdose Act
Dangerous Drugs and Hypodermics
ns and High-Voltage Lines
Participants in Outdoor Sports

NRS 449.0021 “Agency to provide personal care services in the home”

Any person which provides in the home, through its employees or by contractual arrangement with other person, nonmedical services related to personal care to elderly or disabled persons to assist with activities of daily living, including:

- (a) Elimination of wastes from the body
- (b) Dressing & undressing

NRS 449.0021 “Agency to provide personal care services in the home”

- (c) Bathing
- (d) Grooming
- (e) Preparation & eating of meals
- (f) Laundry
- (g) Shopping
- (h) Cleaning
- (i) Transportation, and
- (j) Any other minor personal hygiene needs

READING LAWS & REGULATIONS

- NRS & NAC Chapters 449 – must comply with both
- Look for references to other NRS & NAC – follow to other requirements
- Example: *NAC 449.3976(c)-Attendant must have had tests required by [NAC 441A.375](#) - - - - > TB testing*
- *NAC 449.3975(e)-Attendant must have evidence of compliance with [NRS 449.123](#) - - - - → Background checks*

FIRST STEP!

- All businesses must have an active State Business License or Certificate of Exemption.
- State law requires that every person or entity doing business in the State of Nevada obtain a State Business License or Certificate of Exemption.
- Please start your business at SilverFlume Nevada's Business Portal at www.nvsilverflume.gov.

Initial Survey Process

- Go to DPBH web site to access Electronic Application Form in CLICs or ALIS –
- Completed packet goes to supervisor for review then Manager assigns to an inspector(s)

- Inspector sets up initial survey with agency
http://dpbh.nv.gov/Reg/HealthFacilities/HealthFacilities_-_Home

Electronic Application – ALIS (CLICS)

- Follow PowerPoint Slide Presentation
- Call Main Number in Carson City
775 684 -1030
- Use Kiosks in Carson City / Las Vegas

CLICs or ALIS

- Will access CLICs or ALIS for all licensure actions:
 - Renewals
 - Adding Endorsements
 - Change of Owner / Change of Location
 - Pay Sanctions

<https://nvdpbh.aithent.com/login.aspx>

DPBS.NV.GOV

nv dpbh.nv.gov

dpbh.nv.gov

Apps DPBH Home - Home Suggested Sites Free Hotmail Beat the Traffic - Las Real-Time Traffic Suggested Sites (1) Imported From IE New Tab SumTotal - Log On

Department of Health and Human Services
Nevada Division of Public and Behavioral Health (DPBH)

NV.gov Agencies Jobs About Nevada

ADA Americans with Disabilities Act

HOME ABOUT JOBS PROGRAMS COMMUNITY PROVIDERS BOARDS REGULATORY RESOURCES CONTACT MEDIA

Quick Links

- Medical Marijuana
- Vital Statistics
- Forms
- Medical Laboratory Services
- WIC Clinic Locations
- Nevada WebIZ
- Health Facilities**
- Environmental Health Section
- Child Care Licensing
- Press Releases

Zika Updates
Click here for information from Nevada's Office of Public Health Informatics and Epidemiology.

WELCOME TO THE NEVADA DIVISION OF PUBLIC AND BEHAVIORAL HEALTH (DPBH)

At the Nevada Division of Public and Behavioral Health, our mission is to protect, promote and improve the physical and behavioral health of the people of Nevada. Our main office is located at 4150 Technology Way in Carson City with regular business hours of 8 a.m. to 5 p.m. Monday through Friday. Our main phone number is (775) 684-4200.

24-hour Public Health Emergency Contact: (775) 684-5920

Providers Resources Nevada 2-1-1 Boards, Councils & Commissions Jobs Programs

Last Updated: 10/17/2016

STATE OF NEVADA
Home
Directory of State Agencies
Public Notices

HEALTH & HUMAN SERVICES
Home
Divisions
Director's Office Programs

FEEDBACK
Customer Service
Feedback Form

CONTACT
Phone, FAX, Hours & Location
Public Records Request

Select Language

10:07 AM

On Line Licensing – CLICs/ ALIS

The screenshot displays the Nevada Health Facilities website. The top navigation bar includes the URL dphh.nv.gov/Reg/HealthFacilities/HealthFacilities_-_Home/ and several menu items like 'DPBH Home - Home', 'Suggested Sites', and 'Free Hotmail'. The main content area is titled 'HEALTH FACILITIES' and is organized into several sections:

- Regulatory**: Includes links for Emergency Medical Systems (EMS), Environmental Health, Health Laboratory and Child Care Licensure, Health Facilities, Blog, Staff List, Office Locations, Listserv Lists, Advisory Councils, Statutes, Partners, Community, Complaints, Licensing, Providers, Training & Education, Certified Community Behavioral Health Clinics (CCBHC), Medical Laboratories and Personnel, and Child Care Facilities.
- General Information**: Provides an overview of the Bureau of Health Care Quality and Compliance (HCQC) and its role in licensing medical and other health facilities in Nevada. It mentions the Nevada Revised Statutes Chapter 449 and Nevada Administrative Code Chapter 449 (NAC 449).
- Consumer Tools**: Offers resources for consumers, including a facility comparison tool, laboratory personnel verification, and facility inspection reports.
- Provider Tools**: Provides information for individuals and businesses interested in becoming a Nevada health care provider.
- NEW* Online Licensing and Certification System**: A new online portal for applying for licensure of new health facilities or medical laboratories, or for updating information and renewing licenses.
- Starting a New Application in ALIS (aka CLICs) - downloadable PDF**: A link to a PDF document detailing the application process.

On the right side of the page, there is a 'TIME To RENEW' graphic with a call to action: 'Click here for information about the renewal process and Nov. 15 deadline'. Below this, there is a 'Contact Us' section for the Bureau of Healthcare Quality and Compliance, including the address (727 Fairview Drive, Suite E, Carson City, NV 89701), phone number (775) 684-1030, and fax number (775) 684-1073. A list of links includes Staff Listing, Office Locations, and All Listserv Lists. Further down, there are sections for 'General Information' (Acronyms, Advisory Councils, FAQs, Statutes), 'Regulatory Partners' (Partners), and 'Resources' (For Consumers, For Providers, Complaints, Forms, Grants, Inspections, Licensing, Training & Education).

P0010 – NAC 449.3972

Application has a large number of items including:

- Proof that it is adequately covered against liabilities resulting from claims incurred in the course of operation (*Liability insurance*) ; and
- Proof of compliance with NRS 449.065 and 449.067. (*Surety Bond*)

SURETY BOND - Plug

A surety bond must be filed with the Division of Public and Behavioral Health

- **If the facility or agency employs less than 7 employees, in the amount of \$5,000;**
- **If the facility or agency employs at least 7 but not more than 25 employees, in the amount of \$25,000; or**
- **If the facility or agency employs more than 25 employees, in the amount of \$50,00**

SURETY BOND – Plug Continued

The Surety Bond Original must be mailed, or hand-delivered (Selena) to the

Division of Public and Behavioral Health (DPBH)
4220 S Maryland Parkway, Bldg. D, Suite 810,
Las Vegas, Nevada 89119.

Mailing Options:

Option 1: Have your insurance agent work with the surety bond coordinator, and elect to have your bond forwarded to the Division of Public and Behavioral Health – Las Vegas by your insurance company upon completion. Once received, the DPBH Surety Bond Coordinator will process the bond, and forward a copy of your bond with an acceptance letter.

Option 2: Obtain your bond from your insurance company, make a copy for your records and mail or hand-deliver the original bond to the Las Vegas DPBH Office.

Please do not send faxes, scans, incomplete forms, or copies as proof of a bond. They will not be accepted.

Contacts

In Carson City Office Key Staff:

- Michelle Smothers @ 775 684 1057
For new licensure application questions
msmothers@health.nv.gov
- Kali Moriarity @ 775 684 1038
For changes to licensure – location, owner
kmoriarity@health.nv.gov
- Devonne Johannessen @ 775 684 1053
All other licensure questions or issues
djohannessen@health.nv.gov
- Todd South 775 684 1031
For background check issues tsouth@health.nv.gov



Initial Survey

Initial Survey Process

- Review of agency P&P and forms
- Review of sample forms for employee requirements, Employee Handbooks
- Review of your care attendant training program, sample training certificates, competency evaluations, tests for video training, etc.
- Review of sample forms for client file requirements – “New Client Packet”

Initial Inspection con't Scenarios

1. No deficiencies
2. Minor paperwork or other issues can be corrected during the survey – will hold it for a short time
3. A Statement of Deficiencies (SOD) will be written and mailed to the facility
4. Agency is not prepared for the inspection. No staff files or sample client file. No P & Ps Must be ready to take clients for an initial inspection

Completing the Initial Survey

- Once agency is in compliance or an acceptable POC is received by HCQC, the initial survey packet is submitted for supervisor review
- Recommendation for licensure scanned in CLICs to Carson City office
- License issued – usually within few days of an acceptable POC
- Cannot serve any clients until receive HCQC license
- Post license in public area – have a copy of the survey available for public too!

NAC 449.3972

1. Each license issued to operate an agency is separate and distinct.
 - Is issued to a specific person to operate the agency at a specific location.
 - An agency may have at multiple work stations if it maintains records for the clients, attendants, other members of the staff and operations at the location designated on the license.
2. The name of the person who is designated as responsible for the conduct of the agency must appear on the face of the license – The administrator



Administrator Requirements

P0015 – NAC 449.3973

Qualifications of administrator

I. The administrator of an agency must:

- **(a) Be at least 18 years of age;**
- **(b) Have a high school diploma or its equivalent; (Or higher education)**
- **(c) Be responsible and mature and have the personal qualities which will enable the administrator to understand the problems of elderly persons and persons with disabilities;**

P0015 – NAC 449.3973

Qualifications of administrator

- (d) Understand the PCA regulations and the laws in chapter 449 of NRS; and
- (e) Demonstrate the ability to read, write, speak and understand the English language.
- *Provide a signed statement that has reviewed and understands the laws and regulations related to operating a Personal Care Agency.*

P0020 – NAC 449.3973

Duties of administrator

2. The administrator represents the agency in its daily operation and shall appoint a person to exercise his or her authority in his absence.

P0020 - NAC 449.3973.2

The Administrator must:

- Designate one or more employees to be in charge when the administrator is absent; .
- Be able to demonstrate to the Health Division that the agency has the resources and capability to provide services to each client as outlined in the client's service plan.
- Are there enough attendants with necessary training?

P0025 – NAC 449.3973.3

- The employee designated to be in charge when the administrator is absent must have access to all records kept at the agency.
- Confidential information may be removed from files the designee has access to if the confidential information is maintained separately by the administrator.

P0020 - NAC 449.3973.2

The Administrator is responsible for:

- Employing qualified personnel and arranging for their training;
- Ensuring only trained attendants provide services to clients
- Ensures services are provided according to the client's functional assessment, the client's service plan and the agency's P & P.

P0020 - NAC 449.3973.2

The Administrator must:

- Provide oversight and direction for attendants and staff as necessary to ensure clients receive needed services;
- Develop and implement policies and procedures (P&P) for the agency, including, those concerning terminating services provided to a client;

P0030 - NAC 449.3973.4

The Administrator shall ensure:

- Clients are not abused, neglected or exploited by an attendant, another staff member, or by any person who is visiting the client when an attendant or another member of the staff is present;
- Suspected cases of abuse, neglect or exploitation of a client are reported as prescribed in NRS 200.5093 and 632.472.



Attendants

P0100 – NAC 449.3975

Each attendant of an agency must:

- Be at least 18 years of age.
- Be responsible and mature and have the personal qualities which will enable the attendant to understand the problems of elderly persons and disabled persons.
- Understand the PCA regulations and laws in NRS 449 *Suggest having them sign a statement they have been provided and read regulations).*

P0100 – NAC 449.3975

Each attendant of an agency must:

- Be able to demonstrate the ability to read, write, speak and communicate effectively with agency clients.
- Be able to demonstrate the ability to meet the needs of agency clients.

P0125 – NAC 449.3975

Each attendant of an agency:

- Must complete the required initial attendant training.
- Must receive at least 8 hours of training annually related to providing for the needs of agency clients, beginning the year after their first year of employment.

P0130 – NAC 449.3976

The agency must maintain a separate personnel file for each attendant of an agency and must include:

- The attendant's name, address and telephone.
- The date the attendant began working for the agency and the date the attendant was first assigned to provide services to a client.

P0130 – NAC 449.3976

The agency must maintain evidence the attendant has met the requirements of NAC 441A.375:

- TB testing requirements –
 - Pre-employment physical – up to 6 months prior to hire
 - TB screening – 2-step skin test or single blood test.
 - (See next slide)

Attendants – NAC 449.3976

- Tuberculosis (TB) testing requirements of NAC 441A.375:
 - Pre-employment physical-statement from a physician that employee is in a state of good health, free of active TB or other communicable diseases Pre-employment TB testing results 2-step TB skin test or single blood test if negative
 - I-step TB skin test & negative chest X-ray if positive
 - Annual I-step TB skin test or blood test if negative
 - Annual TB Risk Assessment if positive

P0130 – NAC 449.3976

The attendant file must contain:

- Evidence that the references supplied by the attendant were checked by the agency;
- Evidence of NABS on all agency employees:
 - Start within 10 days of hire
 - Fingerprints – Attestation Form
 - NABS reports: Registry- Cleared Background

P0130 – NAC 449.3976

The attendant file must contain:

- Proof that the attendant is at least 18 years of age
 - Photo ID – Driver's license, passport or other ID
- Proof the attendant has at least the minimum liability insurance coverage required by state law if providing transportation to a client in a motor vehicle
- Documentation of all training attended by and performance evaluations of the attendant.

Attendants – NAC 449.3975 Summary

- Evidence of Prohibited Services & Activities training
- Evidence of required training completed prior to being assigned a task (Checklist #7)
- Evidence of competency (skill) testing – *need a checklist with evaluator sign-off*
- Proof of 1st Aid/CPR training within 6 months of work start date (front & back of card)
- Signed regulation statement (*they have been provided and read regulations*)

Attendants – NAC 449.3976 Summary

- Proof of liability insurance if they transport clients
- Performance evaluations conducted based on your policy (See policy example)
- Evidence of 8 hours training annually after their 1st year of employment
- Create a “Tickler” file system to help keep on track and not forget when items are due (See example #7 again)
- Keep files in an orderly fashion – prevent surveyors having to “hunt” for items!

Nevada's Automated Background Check System or NABS

Getting Started –NABS

- Background Check Webinar NABS Training
 - Every third Wednesday of each month from 1:30 PM to 2:45 PM
- To register for either class please call 775-684-1031 and request to be registered
- New owners are background checked under NRS 449.122
- Background Check employees using NABS within 10 days of receipt of your DPS account number



Policies and Procedures

Policies & Procedures P 035

- The agency shall maintain written P&P concerning the qualifications, responsibilities and conditions of employment for each attendant and other members of the staff of the agency.
- P&P must be reviewed and revised as needed.
- P&P must be made available to the attendants and other staff members upon hire and whenever revisions are made.

Policies & Procedures

- P&P reflect how agency will comply with regulations
- P&P reflect how the agency will be operated – from hiring requirements for employees to admission & termination requirements for clients

Policies and Procedures

- Policy and Procedure must be reviewed and revised as needed and made available to all employees.
- They must contain the following policies:
- Termination of services to a client;
- The qualifications, responsibilities and conditions of employment for attendants and staff;
- A description of the duties and responsibilities of the attendants;
- A description of prohibited attendant activities which must include:
- A description of the manner in which the agency assigns attendants to provide personal care services to clients and any supervision of those services that will be provided by the agency;

Policies and Procedures Cont.

- Making long distance telephone calls that is personal in nature on a phone owned by the client and while on duty;
- Loaning, borrowing or accepting gifts of money or personal items from a client;
- Accepting or retaining money or gratuities from a client, other than money needed for the purchase of groceries or medication for the client; and
- Becoming the legal guardian of a client or being named as an attorney-in- fact in a power of attorney executed by the client.
- Client rights;
- Ethics governing attendants and other members of the staff of the agency, including, without limitation, any requirements concerning the confidentiality of client information;
- The prevention, control and investigation of infections and communicable diseases;
- A description of the personal care services that are provided by the agency to clients;

Policies and Procedures Cont.

- Documentation of the needs of each client and the personal care services that are provided to the client;
- The emergency responses of the agency to both medical and nonmedical situations;
- The roles of the agency and any coordination that the agency will provide with services provided by other community service agencies;
- Periodic evaluation of the performance of attendants and other members of the staff of the agency;
- The maintenance of current personnel records which confirm that policies and procedures are being followed; and
- Set forth any other specific information that is necessary based on the needs of any special populations served by the agency.

Other Community Services Policy

Ensure that the agency is coordinating the personal care services that it will be providing to the client with the care and services available to the client from other organizations and persons. i.e. Meals on Wheels, autism, Alzheimers, clothing support , mental illness support.

Sample Policy Format

2

SAMPLE POLICY FORMAT

Employee Performance Review Policy

My Perfect Care Agency

MPCA Employee ER 1

It is the policy of My Perfect Care Agency to conduct periodic employee performance reviews. These reviews will be conducted by the supervisor or Administrator.

First Review: 90 days

Second Review: 6 months

Annual Review: Annually on or before the employee's anniversary date.

Subjects for review:

- Attendance
- Punctuality
- Attitude toward policies
- Appearance
- Dependability
- Development
- Knowledge of work
- Cooperation
- Quantity of acceptable work
- Public and client relations
- Overall evaluation

Forms for Evaluation:

Form ER 1 Performance review

Form ER 2 Employee self performance review

Location:

Forms manual

Forms manual

Annual Policy and Procedure Manual
Review

Yes It's Personal- Personal Care Agency
Policy and Procedure Manual

Client Rights 1
Supervisory Visits 3
Client Intake 4

Review Date: 1/31/15
Additions/Corrections to: Client Rights – page 3, para 3 (b)
Signed: _____



Training

P0151- NAC 449.3977.1

Attendant Training

Each attendant of an agency shall:

- Participate in and complete a training program *before* independently providing personal care services to the clients of the agency.

Agency Training Program

- The training program must include all subjects listed in the regulations including elder abuse, 1st Aid/CPR, Prohibited activities & services (TAG PI30, PI52, PI55, PI60, PI65)
 - Ensure your training does not include any medical tasks/care or other prohibited activities – ex. taking vital signs
- Training program will be reviewed by inspector during initial survey
- Maintain a training binder with subject topic outlines and class summaries (a post-test for each is good!)
- You need a document for evidence of training for each attendant (TAG PI35)
 - Sign-in sheets with subject, date, hours, topic & instructor
 - Certificate of training with subject(s), date, hours and instructor name
 - Competency testing

P0150 – NAC 440.3977 .1

Attendant Training

Each attendant of an agency shall:

- Obtain a working knowledge of regulations and laws pertaining to PCAs before providing personal care services to the clients.
- The agency must provide copies to the attendant before the attendant may provide personal care services to the clients of the agency.

P0151- Attendant Training

- The program must include an opportunity for the attendant to receive on-the-job instruction provided to clients, as long as the administrator or the designee provides supervision during this instruction to determine whether the attendant is able to provide personal care services successfully and independently to the client.

Training

- Skills competency testing sheet and sign-off by trainer
- If using DVD or streaming training – need a written post test to assure understanding of materials & if it covers skills training, a competency testing
- If you have a training provider you contract with, you need a class outline for each classes, sample post tests, competency skills tests and certificates.

P0155 – NAC 449.3977.2

- 2. Each attendant of an agency must be evaluated and determined to be competent by the agency in the required areas of training.
- *Agency P&P must include how attendants will be evaluated for each area of required training – including examples of evaluation forms, competency evaluations, training post-tests, etc.*

P0160 – NAC 449.3977.3

Training Completion

- Each attendant must have evidence of successful completion of a training program in their file that includes the areas of required training within the 12 months immediately preceding the date on which the attendant first begins providing care to a client.

P0152 – NAC 449.3977.1

Attendant Training

Each attendant of an agency shall receive training in Specific Areas for Initial Training:

- In the written documentation of:
 - Personal care services provided to the clients of the agency; and
 - Verification of time records.
- *How to use timesheets/cards to verify time providing care to clients. Ability to verify the client received services as outlined in the Client Service Plan*

P0152 – NAC 449.3977.2 & 3 Attendant Training - Specifics

Each attendant of an agency shall receive training in:

- The rights of clients, including, training in how to protect client confidentiality pursuant to state and federal regulations.
- Related to the special needs of elderly persons and persons with disabilities, including, training in the sensory, physical and cognitive changes related to the aging process.

P0152 – NAC 449.3977 .4

Attendant Training - Specifics

Each attendant of an agency shall receive training:

- Related to communication skills, including, without limitation:
 - Active listening,
 - Problem solving,
 - Conflict resolution and
 - Techniques for communicating through alternative modes with persons with communication or sensory impairments.

P0152 – NAC 449.3977.5

Attendant Training - Specifics

Each attendant of an agency shall receive training:

- In first aid and cardiopulmonary resuscitation. A certificate in first aid and cardiopulmonary resuscitation issued by the American Heart Association or an equivalent certificate will be accepted as proof of that training.

P0152 – NAC 449.3977.6

Attendant Training

Each attendant of an agency shall receive training:

- Specifically related to the personal care services provided by the agency, including, training in the following topics:
 - Duties and responsibilities of attendants and the appropriate techniques for providing personal care services;

P0152 – Attendant Training

- Recognizing and responding to emergencies, including, without limitation, fires and medical emergencies;
- Dealing with adverse behaviors;
- Nutrition and hydration, including, without limitation, special diets and meal preparation and service;

P0152 – Attendant Training

Bowel and bladder care:

- Routine care associated with toileting,
- Routine maintenance of an indwelling catheter such as emptying the bag and positioning,
- Routine care of colostomies such as emptying and changing the bag,
- ****Changing any part of a colostomy bag that comes in direct contact with the skin or the stoma is prohibited***
- Signs and symptoms of urinary tract infections, and common bowel problems, including, without limitation, constipation and diarrhea;

P0152 – Attendant Training - Specifics

Skin care, including, without limitation:

- Interventions that prevent pressure sores,
- Routine inspections of the skin,
- Reporting skin redness, discoloration or breakdown to the client or a representative of the client and to the administrator of the agency or the administrator's designee;

P0152 – Attendant Training - Specifics

- Methods and techniques to prevent:
 - Skin breakdown,
 - Contractures and
 - Falls;
- Hand washing and infection control;
- Body mechanics, mobility and transfer techniques, including, without limitation, simple non-prescribed range of motion;
- Maintenance of a clean/safe environment.

Attendant Training - Certificate



Attendants – Elder Abuse

- Elder Abuse Law – NRS 200
- NRS 449.093 Requires the administrator and all employees to have initial and annual Elder Abuse training
- No Hourly Requirement

Attendants – Elder Abuse

PowerPoint Presentation Meets the Elder Abuse Training Requirements of Nevada Revised Statutes (NRS 449.093)

Elder Abuse Prevention Training Learning Path

FONT SIZE



- **This is the Elder Abuse Prevention Training presented by the State of Nevada Aging & Disability Services Division**

<http://nevadaadrc.com/component/k2/item/744-elder-abuse-prevention-training-e-learning-path>



Scope of Service and Prohibitions

P0165 – NAC 449.3978.1

Scope of Service

- The administrator shall ensure each attendant works within the attendant's scope of service and conducts himself or herself in a professional manner.
- An attendant is prohibited from providing any of the services listed in subsection 2 to a client.

P0165 – NAC 449.3978.2

Scope of Service – Prohibited Services

An attendant is prohibited from providing any of these services to a client.

- Insertion or irrigation of a catheter;
- Irrigation of any body cavity, including, without limitation, irrigation of the ear, insertion of an enema or a vaginal douche;
- Application of a dressing involving prescription medication or aseptic techniques, including, the treatment of moderate or severe conditions of the skin;

P0165 – NAC 449.3978.2

Scope of Service – Prohibited Services

- Administration of injections of fluids into veins, muscles or the skin;
- Administration of medication, including, without limitation, the insertion of rectal suppositories, the application of a prescribed topical lotion for the skin and the administration of drops in the eyes;
- Performing physical assessments – ex. blood or urine testing, oxygen levels
- Monitoring vital signs – ex. Taking blood pressure or heart rates, temperatures

P0165 – NAC 449.3978.2

Scope of Service – Prohibited Services

- Using specialized feeding techniques
- Performing a digital rectal examination
- Trimming or cutting toenails
- Massage
- Providing specialized services to increase the range of motion of a client (ROM) –
ex. Prescribed ROM exercises

P0165 – NAC 449.3978.2

Scope of Service – Prohibited Services

- Providing medical case management:
 - Ex. Accompanying a client to a physician's office to provide medical information to the physician about the client or receive medical information from the physician concerning the client – the client or the client's representative should do this
 - Ex. Deciding to make a doctor's appointment because the client appears ill vs. the client requesting help with making a doctor's appt.

P0165 – NAC 449.3978.2

Scope of Service – Prohibited Services

- Any task identified in the Nurse Practice Act (chapter 632 of NRS) and the regulations adopted by the State Board of Nursing as requiring skilled nursing care, including, without limitation, any services that are within the scope and practice of a certified nursing assistant (CNA).
- *Attendants cannot provide any medical care/services and cannot be directed to provide medical care/services by home health or hospice*



Block I Client Screening

P0210 –NAC 449.3981 .2

Client Screening

The initial screening and the development or acceptance of a service plan must be documented. The documentation must be dated and signed by the person who conducted the initial screening and developed or accepted the service plan.

P0210 – NAC 449.3981 .1

Client Screening

The administrator of an agency or the administrator's designee shall conduct an initial screening to evaluate each prospective client's requests for personal care services and to develop a service plan for the client or to accept a service plan established for the client.



Block 2 Disclosure

P0175 – NAC 449.3979.1

CLIENT - Written Disclosure Summary:

- Disclosure Statement & Service Agreement must be signed by client or representative (TAG P175, P180)
- What personal care services are offered by the agency
 - What services the agency cannot provide including managing health conditions that become unstable or unpredictable
 - Informed of the qualifications, hiring and training requirements for attendants
 - Charges for services, including billing & payment method, due dates and how to notify of rate increases
 - Circumstances that may lead to termination of client services and notification policy

CLIENT - Written Disclosure Summary: con't

- Procedures for contacting the administrator during service hours and on-call policies
- What to do if attendant doesn't provide required services & no-show policies
- How to request additional services
- How to file a grievance or complaint & how will be notified of findings
- Rights of clients as listed in NAC 449.398(1,3,5) Bureau contact information & inform that bureau may review their records

P0185 – NAC 449.398.1 & 2

Client Rights - Grievance Policy

NAC 449.398

- The administrator shall ensure a client is not prohibited from speaking to any person who advocates for the rights of the clients of the agency.
- The administrator shall establish and enforce a procedure to respond to grievances, incidents and complaints concerning the agency in accordance with the written policies and procedures of the agency.

P0190 – NAC 449.398.2

Grievance Policy

The procedure (P&P) established and enforced by the administrator must include:

- A method for ensuring the administrator or the administrator's designee is notified of each grievance, incident or complaint.
- The administrator or designee shall personally investigate the matter in a timely manner.
- A client who files a grievance or complaint or reports an incident concerning the agency must be notified of the action taken by the agency or must be given a reason why no action was taken.

P0195 – NAC 449.398.3 &4 Client Rights

- The agency shall develop a written description of the rights of clients and provide a copy to each client or a representative of the client upon initiation of the service plan established for the client.
- The administrator shall ensure that the agency is in compliance with NRS 449.700 to 449.730

P0195 – NAC 449.398.3 &4 Client Rights

- A signed and dated copy showing the client or representative received client rights information must be maintained in the client file.

P0195 – NAC 449.398.5

Client Rights

- The written rights of clients must include a statement that each client has the right:
- To receive considerate and respectful care that recognizes the inherent worth and dignity of each client.
- To participate in the development of the service plan created for the client
- To receive an explanation of the personal care services that will be provided based on the service plan
- To receive a copy of the service plan

P0195 – Client Rights

- To receive the phone number of the Bureau which may be contacted for complaints
- To receive notification of the authority of the Division to examine the records of the client to evaluate the agency based on the regulations

P0195 – Client Rights

- To receive from the agency, within the limits set by the service plan established for the client and within the program criteria, responses to reasonable requests for assistance
- To receive information, upon request, concerning the agency's P&P, including, the those relating to charges, reimbursements and determinations concerning service plans.



Block 3 Service Plans

P0220 – NAC 449.3981.3

Service Plans

- Review the service plan with the client, including, the schedule for personal care services for the client
- The Agency and the Client sign and date the service plan.

Sample Service Plan

Every 2 weeks Every 2 months Other

Client Name: _____ Address: _____ Phone #: _____ Emergency Contact Name: _____ Contact's phone #: _____	Date of Birth: _____ Age _____ Diagnosis/Problem: _____ Mental Status: _____ Allergies: _____ Type of Diet: _____
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Precautions: Fall Bleeding Seizure Diabetic Oxygen in use Y / N As Needed Continuous

	Perform	Assist	Self Care	Frequency		Perform	Assist	Self	Frequency
HYGIENE					Household Tasks				
Tub/Shower					Linen change				
Bed-Partial/Complete					Laundry				
Chair bath					Light cleaning				
Sponge bath					ACTIVITY				
Shampoo hair					Walker/Wheelchair/Cane				
Mouth care					Chair to bed				
Shave <input type="checkbox"/> Electr. <input type="checkbox"/> Straight					Dangle/Commode				
Skin care					Ambulation/Mobility				
Dressing					Bed rest				
File nails					Turn/Reposition				
Toileting					Exercise per PT/OT/SLP				
Catheter care					MEALS				
Ostomy care					Prepare & clean up				
					Feed				
					Encourage fluids				
					Limit Fluids				
					Supplements				
					OTHER				
					Med Assist				
					Med Reminder				
					Transport/Errands				

Further Instructions _____

Goal _____

Agency Signature _____

Print Name _____

Date _____

Client Signature _____



Supervisory Visits

P0225 – NAC 449.3982.1

Supervisory Visits

The administrator of an agency or the designee shall conduct supervisory home visits or telephone calls to the home of each client to ensure that quality personal care services are provided to the client.

*** Agency policies need to indicate how often home visits or telephone calls will be conducted.*

P0225 – NAC 449.3982.2

Supervisory Visits

- Each supervisory visit and each telephone call must be documented. The documentation must be dated and signed by the administrator or designee.
- *What forms will be used to document the home visits and telephone calls? Where will they be stored once completed?*

P0225 – NAC 449.3982.2

Supervisory Visits - 5 Key Items

Each supervisory visit and each telephone call must consist of an evaluation of whether:

1. Appropriate and safe techniques have been used by the attendant when providing personal care services to the client
2. The service plan established for the client has been followed
3. The service plan established for the client is meeting the client's personal care needs

P0225 – NAC 449.3982.2

Supervisory Visits 5 Key Items

Each supervisory visit and each telephone call must consist of an evaluation of whether:

4. The attendant providing personal care services to the client has received sufficient training to provide services correctly and safely

These questions are the minimum that need to be asked during each of these contacts

P0225 – Supervisory Visits 5 Key Items

And evaluate:

5. If it is necessary for the administrator or designee to follow up with the attendant or client concerning any problems identified during the visit or phone call related to the services being provided or with the service plan established for the client



Building Blocks - Client File Summary

Building Blocks For a PCA

Initial Screening – What is needed, how often, who is going to be assigned.

The Service Plan – Very Specific Dates/Times and Specific Care Provided, signed by Agency and Client.

Disclosure Statement – Training Requirements, Client Rights, Charges Billing, Termination, How to Contact Agency, What is and Isn't Permitted, Grievances, signed by the Client

Supervisory Visits – Phone/In person, How often, Ensure you cover the 5 items as a minimum



Periodic 24 Month Inspections

24 Month Inspectors will ask for -

- Unannounced
- List of Staff and Clients
- Select 2 of each and review
- Tracking/logs for client infections, injuries, hospitalizations – Occurrences & Incident Reports (SOR - Medicaid)
- Complaints/grievances logs, investigations, resolutions and how client was notified
- Call about 2 clients and ask 10 questions



TAGs

TAGs – What are they?

- A TAG is a method of identifying a regulation or section of a regulation.
- **EXAMPLES:**
 - P 230 (NAC 449.3976) Attendants: Employee requirements
 - P 430 (NAC 449.3979(2)) Written disclosure statement must include.

Possible Sanctions

- Deficiencies of Severity 3 can lead to sanctions & penalties – Administrative Sanctions NAC 449.9982-449.99939
- Sanction Types:
 - Directed Plan of Correction
 - Ban on Admissions
 - Monitoring of an Agency
 - Monetary Penalties
 - Temporary Management
 - Closure of Agency



Final Items & ISOs

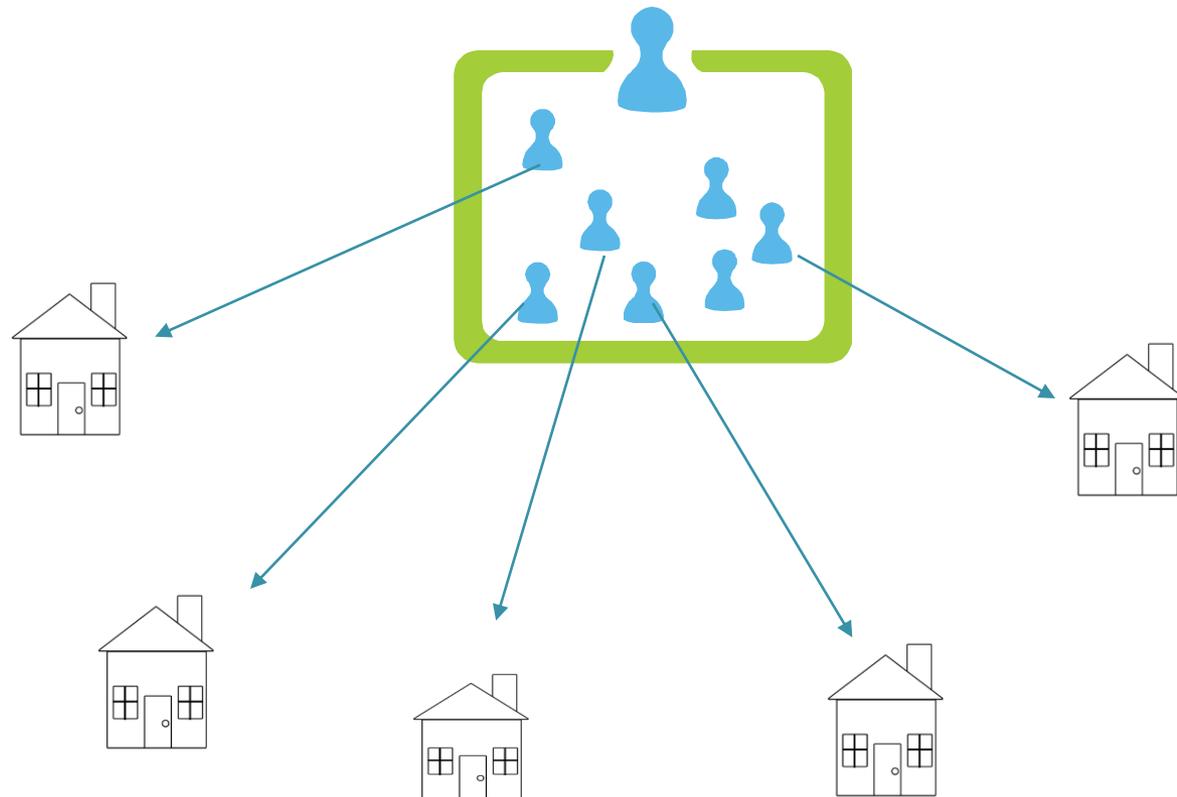
Intermediary Service Organization

- Also known as Self-Directed or Person Centered Care.
- Consumer is responsible for recruiting. Interviewing, hiring, training, supervising, personal care representative (PCR).
- Providers staff provides and certifies training of ISO PCR.
- PCR can be friend, neighbor, family member.

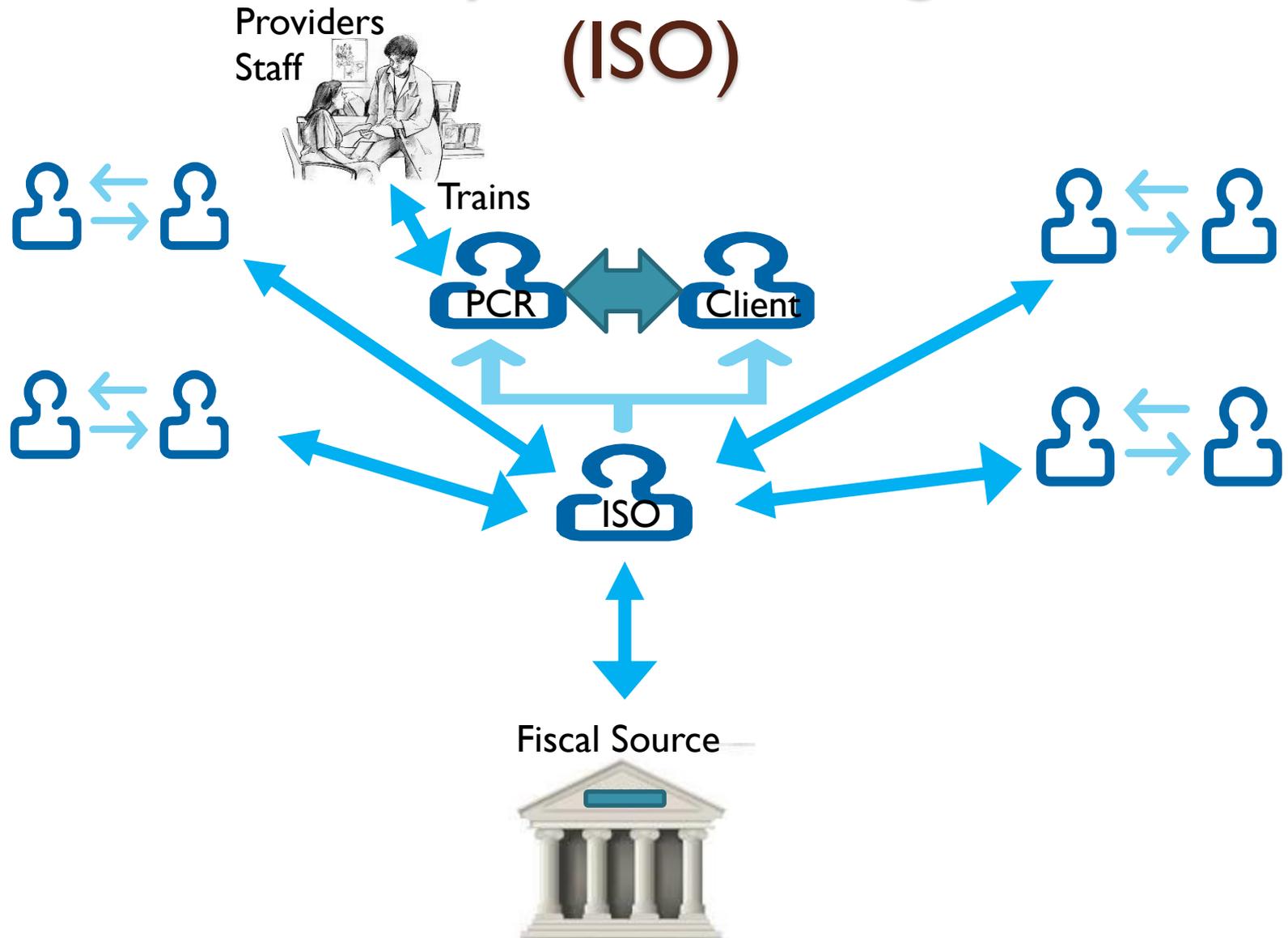
Intermediary Service Organizations

- ISO provides fiscal and supportive services to the self directed care.
- ISO handles billing, payroll, record keeping. Compliance with all regulations.
- ISO assists the consumer or PCR with caregiver training, back- up plan development, resource referrals etc.

PCS (PCA) Agency



Intermediary Service Organization (ISO)



Personal Care Organization PCO

- Both PCS & ISO
- ISO is an Endorsement
- NAC 449.39515 Must Maintain Separate Records & Distinguish Between the Services Provided

What's next?

- After initial survey, all other surveys are Unannounced:
 - 24-month surveys PCA
 - Complaint investigations
- Be ready 365 days a year - everyday could be survey day – Keep a tickler
- Review other agency's inspection reports on the HCQC/Health facilities website for commonly cited deficiencies

Questions?– Contact HCQC

HCQC offices:

- Las Vegas: 702-486-6515
- Carson City: 775-684-1030

Resources

HCQC website:

<http://dpbh.nv.gov>

- Click on Health Facilities and search for information

Join the listserv for Non-medical facilities to receive updates!

Legislative website for NRS & NAC

- <http://leg.state.nv.us/NRS>
- <http://leg.state.nv.us/NAC>

We Are Done!

